

**REMARKS**

In accordance with the foregoing, claims 5, 16, 25, 26, 36, 47, and 51 have been amended and new claims 84-86 have been added. No new matter is presented and, accordingly, approval and entry of the foregoing are respectfully requested.

**STATUS OF CLAIMS**

Claims 1-82 are rejected.

Claims 1-4, 7-15, 17-24, 27-35, 37-46, 48-50, and 52-82 have been cancelled.

Claims 5, 6, 16, 25-26, 36, 47, 51, 83, 84, 85 and 86 are pending and under consideration.

**ITEM 3: REJECTION OF CLAIMS 1-3, 5-16, 19-23, 25-36, 39-40, 43-45, 47-51, 56, 57, 59, 60, 62, 63, 65-69, 71, 72, 75-77, and 79-82 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER KITAZAWA ET AL. (JAPAN PATENT NO. 09-026832) IN VIEW OF SUSO ET AL. (U.S. PATENT 6,466,202)**

The rejection is respectfully traversed.

In accordance with the foregoing claim amendments, claims 5, 16, 25, 36, 47 and 51 are independent claims and the remaining pending claims 6, 26 and 83 correspondingly depend from respective independent claims 5, 25 and 51.

Each of the independent claims defines a status display control unit for displaying status information of an electronic equipment which includes a lid member, a main display section and an auxiliary display section, the main display section being provided at a position of the lid member so that the main display section is only visible in an open state of the lid member. Each independent claim furthermore recites a controller, or control procedure, which operates on an operating system that operates in a normal state of the electronic equipment to produce one or more respective, different displays as are recited in the pending independent claims.

The foregoing features of the claims are supported by the original disclosure, particularly page 26, line 8 to page 37, line 4 of the specification and FIGS. 9-19.

In the respective rejections of the independent claims 5, 16, 25, 36, 47 and 51 along with their dependent claims 6/5, 26/25 and 83/47, the Action in Item 3, spanning pages 2-7 of the Action, expressly concedes that Kitazawa et al. fails to teach the respective limitations of these claims with regard to the specific displays produced on the auxiliary display section, as therein recited. The Action, however, goes on to assert that Suso et al. teaches producing those

specific displays and/or a display which the Examiner contends would render it obvious to produce the specific, recited displays. The grounds of rejections are respectfully traversed.

In the rejection of claims 5, 6/5, 16, 25, 26/25, 36, 47 and 51 in the last paragraph on page 3 of the Action, the Examiner specifies that “Suso et al. teaches displaying a communication connection status (i.e., the time length of a telephone call) of the electronic equipment) col. 7, lines 23-30).”

Applicants respectfully disagree. Suso et al. teaches, in the cited location, merely that the name of the called (or “other”) party may be displayed together with “the present time or a time length of a telephone call.” There is no indication that either of these latter displays represents any information in relation to “the communication connection status” as recited in each of independent claims 5, 25 and 47. Clearly, the “time length” may be displayed after the conclusion of the telephone call while affording no evidence of the current “communication connection status” and the “present time” as well could be irrelevant to the current “communication connection status.”

Likewise, each of claims 6/5 and 26/25 and 83/47 recites several specific “state” types of “communication connection status” displays which have no counterpart or similarity to the “present time” and “time length” displays of Suso et al.

Each of independent claims 16 and 36 and 51 recites displaying “a communication cost of the electronic equipment in the auxiliary display section.” The Suso et al. teaching cited in the Action relating to “present time or a time length of a telephone call” is altogether unrelated to “communication cost...” as recited in claims 16, 36, and 51. Dependent claims 84/16, 85/36 and 86/51 inherent this patentable distinction of the respective independent claims and, further, distinguish patentably for additionally reciting the combined display of “communication time” along with the “communication cost.”

#### **FATAL FLAW IN THE RELIANCE ON THE COMBINATION OF KITAZAWA ET AL. WITH SUSO ET AL.**

In the last paragraph in page 3, the Examiner asserts that it “would have been obvious to one of ordinary skill in the art... to incorporate the displaying the communication connection status of the electronic equipment as taught by Suso et al. in the system of Kitazawa et al. in order to provide a display control unit with useful improved functions.”

Applicants respectfully traverse this contention inasmuch as Suso et al. does not teach “displaying the communication connection status” as pointed out hereinabove, furthermore, even if Suso et al. were properly interpreted as teaching to provide such a display, the same is irrelevant to the recitations of the majority of the claims rejected in the Action. Moreover, as set

forth in the following section, the mere assertion of the alleged obviousness of making the combination is altogether deficient and, hence, the combination must be withdrawn.

#### **ABSENCE OF ANY *PRIMA FACIE* OBVIOUSNESS OF THE COMBINATIONS OF REFERENCES RELIED UPON**

It is submitted that the Action fails to satisfy the requirement of a *prima facie* demonstration of obviousness of the combination and, instead, relies on the discredited bare contention that the combination “would have been obvious to one of ordinary skill in the art....” Moreover, motivation to effect the combinations is not supported by the Examiner’s suggestions. See MPEP 706.02(j), which emphasizes that the Examiner should set forth in the Office Action: (A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate, (B) the difference or differences in the claim over the applied reference(s), (C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and (D) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See **MPEP § 2143 - § 2143.03** for decisions pertinent to each of these criteria.

It is submitted to be self-apparent from the foregoing that the mischaracterization of Suso’s teaching regarding the display doubly renders the purported obviousness of the combination defective.

#### **CONCLUSION**

It is respectfully submitted that the foregoing has demonstrated that the pending claims distinguish patentably over the references and rejections of record. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

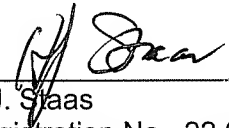
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: July 27, 2006

By: \_\_\_\_\_

  
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